

## Message Text

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43

ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 L-03 JUSE-00 CIAE-00 COME-00

DODE-00 DOTE-00 FMC-02 INR-07 NSAE-00 CG-00 OFA-01

DLOS-04 /037 R

DRAFTED BY EB/CSB/BP:WBLOCKWOOD:VJW

APPROVED BY EB/CSB/BP:HJWINTER

EUR/CE - RCASAGRANDE

EUR/NE - SWORREL

L/EB - TTALLERICO

EB/TT/MA - JSTEINMETZ

JUSTICE - DROSENTHAL

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P R 191905Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY LONDON PRIORITY

AMEMBASSY BRUSSELS PRIORITY

AMEMBASSY BONN PRIORITY

USMISSION USBERLIN PRIORITY

INFO USMISSION OECD PARIS

AMCONSUL HAMBURG

UNCLAS STATE 196682

E.O. 11652: N/A

TAGS: ETRD, UK, BE, FR, GW, GE

SUBJECT: ANTITRUST: FOREIGN OCEAN CARRIERS

1. THE DEPARTMENT OF JUSTICE INFORMED THE DEPARTMENT THAT IT IS CONDUCTING AN INVESTIGATION INTO THE CONDUCT OF U.S. AND FOREIGN OCEAN CARRIERS AS IT RELATES TO THE IMPORTATION OF ALCOHOLIC BEVERAGES FROM EUROPE TO THE UNITED STATES. PRELIMINARY INVESTIGATION INDICATES THAT THE OCEAN CARRIERS HAVE CONSPIRED TOGETHER TO FIX RATES AND MONOPOLIZE THE RELEVANT TRADE IN VIOLATION OF SECTIONS

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1 AND 2 OF THE SHERMAN ACT. JUSTICE HAS STATED THAT NONE

OF THE ARRANGEMENTS UNDER INVESTIGATION WERE FILED WITH

OR APPROVED BY THE FEDERAL MARITIME COMMISSION, AND HENCE ARE NOT IMMUNE FROM ANTITRUST LAWS. THE AGREEMENTS WOULD HAVE THE EFFECT OF ELIMINATING COMPETITION AMONG THEMSELVES AND WITH INDEPENDENT, NON-CONFERENCE CARRIERS.

2. JUSTICE PROPOSES TO ISSUE CIVIL INVESTIGATIVE DEMANDS SEEKING THE PRODUCTION OF DOCUMENTS FROM A NUMBER OF OCEAN CARRIERS INCLUDING THREE FOREIGN CARRIERS. THE FOREIGN OCEAN CARRIERS ARE: ATLANTIC CONTAINER LINE, LTD; DART CONTAINERLINE COMPANY, LTD.; AND HAPAG-LLOYD, AKTIENGESELLSCHAFT. ATLANTIC CONTAINER IS A CONSORTIUM INCOR-

PORATED IN BERMUDA WITH ITS CENTRAL OFFICE IN SOUTH-HAMPTON, ENGLAND. DART CONTAINERLINE IS ALSO A CONSORTIUM INCORPORATED IN BERMUDA WITH ITS CENTRAL OFFICE IN ANTWERP, BELGIUM. HAPAG-LLOYD A.G. IS A WEST GERMAN CORPORATION WITH HEADQUARTERS IN HAMBURG. EACH OF THE FOREIGN CARRIERS HAS AN AGENT FOR SERVICE OF PROCESS WITHIN THE U.S., AND EACH OPERATES STEAMSHIP SERVICE TO -- AND IS DOING BUSINESS WITHIN -- THE U.S.

3. ADDRESSEE POSTS ARE REQUESTED, RESPECTIVELY, TO NOTIFY THE UK OFFICE OF FAIR TRADING, THE GOB CHEF DU SERVICE DE L'ORGANISATION PROFESSIONNELLE ET DU CONTENTIEUX ECONOMIQUE OF THE MINISTRY OF ECONOMIC AFFAIRS AND FRG FEDERAL CARTEL OFFICE. REQUEST REPORT ANY SIGNIFICANT REACTIONS. KISSINGER

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## Message Attributes

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**Current Classification:** UNCLASSIFIED  
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**Disposition Case Number:** n/a  
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**Disposition Date:** 01 JAN 1960  
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**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Unique ID:** 00  
**Drafter:** WBLOCKWOOD:VJW  
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**Status:** NATIVE  
**Subject:** ANTITRUST: FOREIGN OCEAN CARRIERS  
**TAGS:** ETRD, UK, BE, FR, GE, GC, US, ATLANTIC CONTAINER LINE LTD, DART CONTAINERLINE COMPANY LTD, HAPAG-LLOYD A G  
**To:** LONDON MULTIPLE  
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